

REGULAR MEETING OF THE CITY COUNCIL:

Austin, Texas, February 13, 1936.

The meeting was called to order with Mayor Tom Miller presiding. Roll call showed the following members present: Councilmen C. F. Alford, Simon Gillis, Mayor Tom Miller, and Councilman Oswald G. Wolf, 4; absent, Councilman C. M. Bartholomew, 1.

The Minutes of the regular meetings of January 30 and February 6 were read and upon motion of Councilman Gillis, seconded by Councilman Alford, the same were adopted as read by the following vote: Ayes, Councilmen Alford, Gillis, Mayor Tom Miller, and Councilman Wolf, 4; nays, none; Councilman Bartholomew absent, 1.

The request of the committee from the local chapter of the American Association of University Women for a separate room in Brackenridge Hospital in which to hold the baby clinic was referred to the City Manager and City Physician, with instructions to take the matter up with the committee when the Nurses' Home is completed.

The Mayor laid before the Council, for its second reading, the following ordinance:

AN ORDINANCE AMENDING, IN THE CERTAIN PARTICULARS HEREINAFTER STATED, AN ORDINANCE ENTITLED: "AN ORDINANCE ESTABLISHING ZONING REGULATIONS AND DISTRICTS IN ACCORDANCE WITH A COMPREHENSIVE PLAN; AND REGULATING AND DISTRICTING THE HEIGHT, NUMBER OF STORIES AND SIZE OF BUILDINGS AND OTHER STRUCTURES, THE PERCENTAGE OF LOT THAT MAY BE OCCUPIED, THE SIZE OF YARDS, COURTS AND OTHER OPEN SPACES, THE DENSITY OF POPULATION, THE LOCATION AND USE OF BUILDINGS, STRUCTURES AND LAND FOR TRADE INDUSTRY, RESIDENCES AND OTHER PURPOSES; AND DIVIDING THE CITY OF AUSTIN INTO DISTRICTS OR ZONES, AND REGULATING AND DISTRICTING THE ERECTION, CONSTRUCTION, RECONSTRUCTION, ALTERATION, REPAIR AND USE OF BUILDINGS, STRUCTURES OR LAND WITHIN SUCH DISTRICTS OR ZONES; AND PROVIDING UNIFORM REGULATIONS FOR THE SEVERAL CLASSES AND KINDS OF BUILDINGS OR STRUCTURES AND USES WITHIN THE DISTRICTS OR ZONES; AND ADOPTING TWO ZONING MAPS, DISCLOSING RESPECTIVELY THE SEVERAL USE DISTRICTS AND THE SEVERAL HEIGHT AND AREA DISTRICTS, AND THE RESTRICTIONS AND LIMITATIONS AND PROVISIONS APPLICABLE TO SUCH DISTRICTS; AND PROVIDING FOR A BOARD OF ADJUSTMENT AND DEFINING THE POWERS OF SAME; AND PROVIDING CERTAIN PENALTIES AND REMEDIES; AND DECLARING AN EMERGENCY. "

The ordinance was read the second time and Councilman Wolf moved that the rule be suspended and the ordinance be passed to its third reading. The motion carried by the following vote: Ayes, Councilmen Alford, Gillis, Mayor Miller, and Councilman Wolf, 4; nays, none; Councilman Bartholomew absent, 1.

The ordinance was read the third time and Councilman Gillis moved that the ordinance be finally passed. The motion carried by the following vote: Ayes, Councilmen Alford, Gillis, Mayor Miller, and Councilman Wolf, 4; nays, none; Councilman Bartholomew absent, 1.

It was moved by Mayor Miller that the Council extend its gratitude to the Austin Boy Scouts and Sea Scouts for their services during the visit of Rear Admiral Richard E. Byrd to the City on February 12. The motion carried by the following vote: Ayes, Councilmen Alford, Gillis, Mayor Miller, and Councilman Wolf, 4; nays, none; Councilman Bartholomew absent, 1.

The application of H. B. Nicholson for a change in the zoning of property owned by him at 504 West 41st Street was read and referred to the Board of Adjustment for recommendation.

The application of Patton's, Inc., to operate as a taxicab a four-door Ford Sedan, 1936 Model, Engine No. 2504615, State Highway License No. 993-328, was read. Councilman Alford moved that the provision of the Taxicab Ordinance requiring that applications remain on file five days prior to being acted upon be waived and the application be granted.

The motion carried by the following vote: Ayes, Councilmen Alford, Gillis, Mayor Miller, and Councilman Wolf, 4; nays, none; Councilman Bartholomew absent, 1.

Councilman Gillis offered the following resolution:

WHEREAS, Texas Public Service Company has presented to the City Council tentative maps or plans showing the proposed construction of its gas mains in the streets in the City of Austin hereafter named, and said maps or plans have been considered by the City Council; therefore

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

THAT Texas Public Service Company be and the same is hereby permitted to lay and construct its gas mains in and upon the following streets:

(1) A gas main in EAST JOHANNA STREET, beginning at a point 9 feet south of the north line of said East Johanna Street and 24 feet east of the east line of the first alley east of South Congress Avenue;

Thence in a westerly direction with the centerline of a gas main, which centerline shall be 9 feet south of and parallel to the north line of said East Johanna Street, for a distance of 44 feet.

Said gas main described above shall have a cover of not less than 2½ feet.

(2) A gas main in CHICON STREET from East 6th Street to East 7th Street, the centerline of which gas main shall be 19 feet east of and parallel to the centerline of said Chicon Street.

Said gas main described above shall have a cover of not less than 2½ feet.

The Texas Public Service Company is hereby put upon notice that the City of Austin does not guarantee that the space assigned above is clear from other underground utilities, but is based upon the best records we have at hand, and that the minimum depth stated does not have any reference to the fact that greater depths may not be required at special points. When the Texas Public Service Company requires definite information upon the ground as to elevations or working points from which to base the location of their assignments, they shall apply to the City Engineering Department not less than three (3) days before such information is required. The Texas Public Service Company is further put upon notice that they will be required to bear the expense of repairs or replacement of any underground utility damaged during the construction of lines named in this resolution.

AND THAT whenever pavement is cut in the vicinity of a fire plug, water must be used at intervals during the course of backfilling of the ditches.

THAT the work and laying of said gas mains, including the excavation in the streets and the restoration and maintenance of said streets after said mains have been laid, shall be under the supervision and direction of the City Manager, and under all the pertinent terms and conditions of the certain franchise granted to said Company by the City of Austin.

The resolution was adopted by the following vote: Ayes, Councilmen Alford, Gillis, Mayor Miller, and Councilman Wolf, 4; nays, none; Councilman Bartholomew absent, 1.

The City Manager submitted to the Council a list of delinquent automobile taxes. Mayor Miller moved that the City Attorney be instructed to immediately notify the owners of automobiles on which taxes are delinquent that unless such taxes are paid within a reasonable time suits for the collection of same will be filed. The motion carried by the following vote: Ayes, Councilmen Alford, Gillis, Mayor Miller, and Councilman Wolf, 4; nays, none; Councilman Bartholomew absent, 1.

Councilman Wolf offered the following resolution:

WHEREAS, heretofore contract was made by the City of Austin with John L. Martin for the plumbing and heating for the Nurses' Home, under Project PWA, Docket No. 9224,

Engineer's Reference No. 69, for the aggregate sum of \$17,233.00; and

WHEREAS, it has become necessary and desirable during the progress of said work to change the specifications in the following particulars:

- a. To omit the transite pipe as called for under the original contract and to replace same with a 3'0" x 3'0" (inside) concrete tunnel, the cost of the tunnel to be \$5.00 per lineal foot, at a distance of 140 feet, making the total cost of said tunnel, \$700.00, and to allow a deduction of \$543.00 for transite pipe omitted, to make an additional cost of \$157.00.
- b. To change gas burners as specified in the original contract to a combination oil and gas burner at a cost of \$2,397.15, and to allow a deduction of \$420.65 for the original bid gas burners, to make an additional cost of \$1,976.50.

Change a: \$700.00, less allowance for transite pipe, \$543.00, - additional cost - \$ 157.00

Change b: \$2,397.15, less allowance for original bid gas burners, \$420.65, - additional cost - 1,976.50
Total additional cost - \$2,133.50

therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

THAT the City Manager in behalf of the City of Austin is authorized and instructed to enter into contract with said John L. Martin for the purposes above stated, subject to the approval of the Federal Emergency Administration of Public Works.

BE IT FURTHER RESOLVED:

THAT the sum of \$2,133.50 be and the same is hereby appropriated out of the General Fund for the purpose of paying said additional cost.

The resolution was adopted by the following vote: Ayes, Councilmen Alford, Gillis, Mayor Miller, and Councilman Wolf, 4; nays, none; Councilman Bartholomew absent, 1.

Upon motion duly made and seconded, the meeting was recessed subject to the call of the Mayor.

Approved: Tom Miller.
Mayor.

Attest:

Hallie McKeel
City Clerk